

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DANNY BALDWIN,

Plaintiff,

v.

CAMERON J. FLEURY AND KATHRYN J.
NELSON,,

Defendants.

No. 11-5119RBL

ORDER TO SHOW CAUSE

This matter is before the court on its own Motion. Plaintiff filed a complaint alleging that his Constitutional rights were violated by his ex-wife's attorney in their dissolution action, and by the Washington State Superior Court Judge presiding over that action. He asserts claims under 42 U.S.C. §1983. [Dkt. #1]

Plaintiff apparently claims that this Court has jurisdiction because he has asserted Federal Constitutional issues. It is true that 28 U.S.C. § 1331 provides that the district court has jurisdiction over claims arising under the U.S. Constitution or other federal laws.

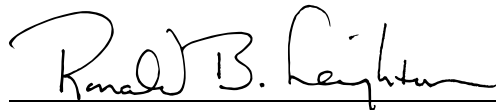
But to the extent Plaintiff requests this Court to review a decision of the state court, this Court has no jurisdiction to review such a decision. *See Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 415-16 (1923); *Dist. of Columbia Court of Appeals v. Feldman*, 460 U.S. 462, 486-87 (1983). A district court must give full faith and credit to state court judgments, even if the state court erred by refusing to consider a party's federal claims. *See Exxon Mobil Corp. v. Saudi Basic Industries Corp.*, 544 U.S. 280, 293, 125 S.Ct. 1517 (2005).

1 If Plaintiff presents some independent federal claim that does not require review of the
2 state court decision, then jurisdiction may be present. *Id.* at 293. If, however, Plaintiff seeks
3 review in federal court for the injury caused by the state court decision, (in other words, if he
4 claims that the state court judgment violates his constitutional rights), then this Court does not
5 have jurisdiction over that claim. *See Feldman*, 460 U.S. at 486-87.

6 The Plaintiff is therefore ORDERED to SHOW CAUSE in WRITING within 10 days of
7 the date of this Order why his Complaint [Dkt. #1] should not be dismissed for lack of
8 jurisdiction as described above. Failure to respond will result in the dismissal of the action
9 without further notice.

10 **IT IS SO ORDERED.**

11 Dated this 10th day of February 2011.

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14 RONALD B. LEIGHTON
15 UNITED STATES DISTRICT JUDGE
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